

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CATHERINE C. BLAKE
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE
101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
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December 10, 2020

MEMORANDUM TO COUNSEL

Re: *Andrews v. Baltimore City Police Department, et al.*, CCB-16-2010

Dear Counsel:

This memorandum confirms the results of yesterday's conference call concerning outstanding discovery issues. A summary of the court's instructions regarding each issue follows.

Confidentiality Order. By December 16, 2020, please file on CM/ECF a proposed confidentiality order, which should include a uniform and accurate way to refer to the device at issue.

Overbroad Requests. Requests Nos. 1, 13, 15, and 23 are overbroad and will not be enforced as written. Plaintiffs' counsel may, if necessary, revise these requests to tailor them more closely to the Fourth Circuit's remand order.

Request No. 29. With respect to Request No. 29, BPD is instructed to inquire of the staff representing the City or BPD in general litigation whether they are aware of any documents concerning the kind of testimony referenced in the request, but the City will not be required to search for such testimony in criminal cases.

Proper Scope of Remaining Requests. All other requests are appropriate but shall be limited to the relevant time frame of May 5, 2014 (or, for policies, those in effect as of May 5, 2014), to the extent that counsel has not already agreed to do so.

Renewed Search. BPD is instructed to renew its search, within all relevant units of the BPD, for all documents responsive to each of Andrews's requests, excluding Requests Nos. 1, 13, 15, and 23, so that production can be made under the forthcoming confidentiality order. With respect to Request Nos. 19–22, to the extent that BPD believes in good faith that it is necessary to protect the identities of victims or third parties, it may include redactions in any initial production. BPD is instructed to file a status report on or before January 8, 2021, updating the court on the progress of this search and identifying the units and departments to which inquiries were directed.

Instructions to Preserve. BPD is instructed to order the preservation of the device in its possession believed to be the device used to locate Andrews.

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Discovery Requests to Individual Defendants. Plaintiffs' counsel may initiate written discovery requests to the individual defendants named in this action. Plaintiffs' counsel may also initiate appropriate requests to the State's Attorney's Office and the FBI.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Sincerely yours,

/S/
Catherine C. Blake
United States District Judge